

TAB

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21 June 1956

MEMORANDUM FOR THE RECORD

SUBJECT: Building - Meeting with Don Chaney, General Counsel
ECPC

1. I spoke to Chaney on the phone last week the day after the commission met and he stated he would like to come over sometime this week to discuss with me questions pertaining to the sixty foot right-of-way which is to be transferred to us from the National Park Service. He came over this afternoon at 1:30 and we talked for about two hours.

2. I showed Chaney all the deeds in my possession. We went over the deeds and diagrams in considerable detail. He agrees with us on matter of the easement although suggested there might be some possibility that the Mesdames Scattergood and Thorne could claim access. Originally he had in mind, and apparently Nolen had approved, our receiving the land under an express written condition that we would immediately buy up any rights that might exist that would eventually require the provision of access.

3. I pointed out to him the adverse publicity effect this could have. Such rights I noted are ephemeral at best and probably there are none existing. I did state however that I felt the Director would give very serious consideration to accepting subject to the conditions of the 1936 deed. It might be noted parenthetically that we probably have no choice other than to accept those conditions anyway since the deed was to the United States Government and not to any particular branch thereof. He agreed that this would serve the purpose. He further agreed to keep any mention of this in the commission meeting or in the minutes thereof down to an absolute minimum. In response to my request for expedition he said that he would try to secure Nolen's approval to a round robin letter to the members of the commission so that we could get approval of the National Park Service transfer without waiting for the commission's August meeting.

5. He is proposing to move ahead with the tripartite agreement required within the next couple of weeks. I offered my services if they would be of any value.

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6. We discussed Nolte's argument about the cost of appraisal and survey. He feels that there is no reason why the commission cannot proceed to use its own funds for this purpose and will so advise Nolen.

7. We discussed the necessity for acquiring the so far unacquired right-of-way as expeditiously as possible. He agrees with our position that the cost of delay in completion of the parkway may far outweigh any savings to be gained in negotiation rather than condemnation. He said that he wished to study the question further but will probably recommend to Nolen immediate condemnation of all properties required.

8. Cheney and I hit it off very well right from the start. I am most impressed with him as a man and as a lawyer. He is a better lawyer than Cheatham and he is probably a lot brainier and more aggressive than anyone else on the commission staff except possibly Nolen. I believe he has the stamina to stand up to Nolen if that should be required. He can be a very firm ally. He and I plan to keep in very close contact.

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[REDACTED]
Assistant General Counsel

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[REDACTED]
Subject - O&M 1 - Bldg. file

✓ Signer

Chrono

Orig - Colonel White

cc: [REDACTED]

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